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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN ADENA, Deceased, by and through his Co-
Successors in Interest, CIRCE ADENA and
RICHARD ADENA; CIRCE ADENA, Individually,
and RICHARD ADENA, Individually,

Plaintiffs,

vs.

SHASTA COUNTY, a public entity; SHASTA
COUNTY JAIL DEPUTIES JOSEPH GRADY,
NATHANIAL NEVES, HECTOR CORTEZ;
CALIFORNIA FORENSIC MEDICAL GROUP,
INC., a California Corporation; WELLPATH
MANAGEMENT, INC., a Delaware Corporation;
WELLPATH LLC, a Delaware Limited Liability
Company; TRACY LEWIS, L.M.F.T.; PAM
JOHANSEN, L.C.S.W.; DANIEL DELLWO, P.A.;
AMANDA REAM, R.N. and DOES 1-20;
individually, jointly and severally,

Defendants.

Case No. 2:21-cv-00770-MCE-DMC

**STIPULATION AND ORDER TO
MODIFY PRETRIAL
SCHEDULING ORDER (ECF No.
78)**

1 All parties, by and through their counsel of record, stipulate and hereby move this Court to
2 modify the Scheduling Order (Doc. 78). Good cause exists to grant the requested extension:

3 1. This is a complicated wrongful death civil rights case involving Shasta County jail
4 deputies and Wellpath correctional health care personnel. The case now involves twelve named
5 Defendants represented by three separate law firms. The parties are represented by experienced
6 counsel, some of whom have worked together before on several cases, and counsel have worked
7 cooperatively throughout the litigation they have handled together.
8

9 2. On July 24, 2024, this Court granted the Wellpath Defendants' motion to dismiss the
10 First Amended Complaint, giving Plaintiffs twenty days in which to file an amended complaint.
11 (ECF No. 79). Plaintiffs filed their Second Amended Complaint on August 8, 2024. (ECF No. 81).
12 Plaintiffs added Amanda Ream, R.N., as a Defendant, and pursuant to stipulation, removed several
13 County employees from the Second Amended Complaint. (ECF Nos. 80, 81, 83).
14

15 3. Amanda Ream's deposition was scheduled for August 20, 2024. She was served
16 with a deposition subpoena on August 6, 2024.

17 4. Plaintiffs served Amanda Ream with the Summons and Second Amended Complaint
18 on August 13, 2024. (ECF No. 84). Ms. Ream's answer is due on September 3, 2024. (*Id.*).
19 Attorney Paul A. Cardinale contacted Plaintiffs' counsel on August 13, 2024, informing them that
20 he would be representing Ms. Ream for her deposition but was not available on the date of her
21 noticed deposition, and he requested a continuance of the deposition. Plaintiffs' counsel agreed to
22 continue the deposition and informed Mr. Cardinale that Ms. Ream was also served with the
23 Summons and Second Amended Complaint, that same day (August 13, 2024), and emailed a
24 courtesy copy of the Second Amended Complaint to Mr. Cardinale. Mr. Cardinale was
25 subsequently retained to represent Ms. Ream in this matter as her defense counsel, and has appeared
26 as Ms. Ream's defense counsel on August 19, 2024. (ECF No. 85).
27
28

5. Mr. Cardinale requests an extension of the dates in this matter, to give him time to review the file and familiarize himself with the case. The parties have also agreed to postpone the deposition of Deirdre Amaro, M.D., the forensic pathologist who did Shasta County's autopsy on John Adena, which was scheduled for August 21, 2024, as Mr. Cardinale is not available that day.

6. The Wellpath Defendants and Ms. Ream anticipate filing a motion to dismiss the Second Amended Complaint. Due to calendar conflicts and prescheduled travel for Plaintiffs' counsel, the parties agree to a modified briefing schedule, with motions to dismiss being filed October 15, 2024, oppositions being filed November 15, 2024, and replies being filed December 2, 2024. The parties are cognizant of the Court's Standing Order, which provides that motions are submitted on the papers and the Court will inform the parties if it requires a hearing.

7. To allow Mr. Cardinale time to review the file and prepare his defense of Ms. Ream, the parties also stipulate to an approximately five-month continuance of the dates unrelated to the motions to dismiss in this matter, as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Filing of Motions to Dismiss	September 3, 2024 for Ms. Ream and October 15, 2024, for the Wellpath Defendants	October 15, 2024
Filing of Oppositions to Motions to Dismiss	N/A (not yet filed)	November 15, 2024
Filing of Replies re: Motions to Dismiss	N/A (not yet filed)	December 2, 2024
Close of Fact Discovery (not including concerning Wellpath corporate Defendants' financial position)	August 23, 2024	January 17, 2025
Close of Fact Discovery concerning Wellpath corporate Defendants' financial position	November 29, 2024	April 25, 2025
Expert Disclosures (not including concerning Wellpath	October 11, 2024	March 14, 2025

1	corporate Defendants' financial position)		
2	Expert Disclosures concerning	January 10, 2025	June 13, 2025
3	Wellpath corporate		
4	Defendants' financial position		
5	Rebuttal Expert Disclosures	November 6, 2024	April 4, 2025
6	(not including concerning		
7	Wellpath corporate		
8	Defendants' financial position)		
9	Rebuttal Expert Disclosures	February 7, 2025	July 11, 2025
10	concerning Wellpath corporate		
11	Defendants' financial position		
12	Joint Notice of Trial Readiness	March 21, 2025	August 15, 2025
13	(if no dispositive motions)		
14	Dispositive Motion filing	January 24, 2025	June 20, 2025
15	deadline		

For the foregoing reasons, the parties respectfully request that this Court enter an Order modifying the schedule in this case as set forth above.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: August 20, 2024

HADDAD & SHERWIN LLP

/s/ Julia Sherwin

JULIA SHERWIN

Attorneys for Plaintiffs

Dated: August 20, 2024

MANNING & KASS

ELLROD, RAMIREZ, TRESTER LLP

/s/ Lynn Carpenter

LYNN CARPENTER

MILDRED K. O'LINN

KAYLEIGH A. ANDERSEN

Attorneys for Defendants
SHASTA COUNTY; DEPUTIES JOSEPH GRADY,
NATHANIAL NEVES, and HECTOR CORTEZ

Dated: August 20, 2024

GORDON REES SCULLY MANSUKHANI, LLP

/s/ Allison Becker

LINDSEY M. ROMANO
ALLISON BECKER
Attorneys for Defendants
CALIFORNIA FORENSIC MEDICAL GROUP,
INC., WELLPATH MANAGEMENT, INC.,
WELLPATH LLC; TRACI LEWIS, L.M.F.T; PAM
JOHANSEN, L.C.S.W.; DANIEL DELLWO, P.A.

Dated: August 20, 2024

MEDICAL DEFENSE LAW GROUP

/s/ Paul A. Cardinale

PAUL A. CARDINALE
Attorneys for Defendant AMANDA REAM

ORDER

Based on the parties' stipulation, and with good cause appearing,


IT IS HEREBY ORDERED that the Pretrial Scheduling Order (Doc. 78) is modified as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Date</u>
Filing of Motions to Dismiss	September 3, 2024 for Ms. Ream and October 15, 2024, for the Wellpath Defendants	October 15, 2024
Filing of Oppositions to Motions to Dismiss	N/A (not yet filed)	November 15, 2024
Filing of Replies re: Motions to Dismiss	N/A (not yet filed)	December 2, 2024
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Rebuttal Expert Disclosures concerning Wellpath corporate Defendants' financial position	February 7, 2025	July 11, 2025

Joint Notice of Trial Readiness (if no dispositive motions)	March 21, 2025	August 15, 2025
Dispositive Motion filing deadline	January 24, 2025	June 20, 2025

IT IS SO ORDERED.

Dated: August 26, 2024


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE